UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/961,308	DIRIENZO, ANDREW L.
	Examiner	**Art Unit**	
	Kristina B. Honeycutt	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 January 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>47-99</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>47-99</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 September 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to amendment filed January 11, 2006.

This action is made **Final**.

2.   Claims 47-99 remain pending in the case. Claims 47, 52, 88 and 90 are

independent claims.

Drawings

3.   The objections to the drawings as failing to comply with 37 CFR 1.84(p)(5)

because they include reference character not mentioned in the description have been

withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

4.   The rejections to claims 47, 52, 57-61, 63-66, 70, 76, 79, 87, 88, 93-96 and 99 as

lacking antecedent basis have been withdrawn as necessitated by the amendment.

5.   Claims 51, 62, 68, 90 and 97 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

- Claim 51 recites the limitation "the field associated with that label" in lines 2-3,

- Claim 62 recites the limitation "said ability" in line 1,

- Claim 68 recites the limitation "the Internet" in lines 2-3,

- Claim 90 recites the limitation "the members" in line 7,

- Claim 97 recites the limitation "the Internet" in lines 2-3.

There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 47-99 remain rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

The language of claims 47-99 raises a question as to whether the claimed

graphical user interfaces are directed merely to an abstract idea that is not tied to a

technological art, environment, or machine which would result in a practical application

producing a concrete, useful, and tangible result to form the basis of statutory subject

matter under 35 U.S.C. §101.

See MPEP §2106 below.

2106 [R-2] Patentable Subject Matter – Computer-Related Inventions

1. Nonstatutory Subject Matter
If the "acts" of a claimed process manipulate only numbers, abstract concepts or ideas, or
signals representing any of the foregoing, the acts are not being applied to appropriate
subject matter. Schrader, 22 F.3d at 294-95, 30 USPQ2d at 1458-59. Thus, a process
consisting solely of mathematical operations, i.e., converting one set of numbers into
another set of numbers, does not manipulate appropriate subject matter and thus cannot
constitute a statutory process.
In practical terms, claims define nonstatutory processes if they:
- consist solely of mathematical operations without some claimed practical application
(i.e., executing a "mathematical algorithm"); or
- simply manipulate abstract ideas, e.g., a bid (Schrader, 22 F.3d at 293-94, 30
USPQ2d at 1458-59) or a bubble hierarchy (Warmerdam, 33 F.3d at 1360, 31
USPQ2d at 1759), without some claimed practical application.
Cf. Alappat, 33 F.3d at 1543 n.19, 31 USPQ2d at 1556 n.19 in which the Federal
Circuit recognized the confusion:
The Supreme Court has not been clear . . . as to whether such subject matter is
excluded from the scope of 101 because it represents laws of nature, natural
 phenomena, or abstract ideas. See Diehr, 450 U.S. at 186 (viewed mathematical
algorithm as a law of nature); Gottschalk v. Benson, 409 U.S. 63, 71-72 (1972)
(treated mathematical algorithm as an "idea"). The Supreme Court also has not
been clear as to exactly what kind of mathematical subject matter may not be
patented. The Supreme Court has used, among others, the terms "mathematical
algorithm," "mathematical formula," and "mathematical equation" to describe types
of mathematical subject matter not entitled to patent protection standing alone. The
Supreme Court has not set forth, however, any consistent or clear explanation of
what it intended by such terms or how these terms are related, if at all.
Certain mathematical algorithms have been held to be nonstatutory because they
represent a mathematical definition of a law of nature or a natural phenomenon. For
example, a mathematical algorithm representing the formula $E = mc2$ is a "law of nature"
- it defines a "fundamental scientific truth" (i.e., the relationship between energy and mass).
To comprehend how the law of nature relates to any object, one invariably has to perform
certain steps (e.g., multiplying a number representing the mass of an object by the square
of a number representing the speed of light). In such a case, a claimed process which
consists solely of the steps that one must follow to solve the mathematical representation
of $E = mc2$ is indistinguishable from the law of nature and would "preempt" the law of
nature. A patent cannot be granted on such a process.
(a) Functional Descriptive Material: "Data Structures" Representing Descriptive Material
Per Se or Computer Programs Representing Computer Listings Per Se
Data structures not claimed as embodied in computer-readable media are descriptive
material per se and are not statutory because they are not capable of causing functional

change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760
(claim to a data structure per se held nonstatutory). Such claimed data structures do not
define any structural and functional interrelationships between the data structure and other
claimed aspects of the invention which permit the data structure's functionality to be
realized. In contrast, a claimed computer-readable medium encoded with a data
structure defines structural and functional interrelationships between the data structure
and the computer software and hardware components which permit the data structure's
functionality to be realized, and is thus statutory.
Similarly, computer programs claimed as computer listings per se, i.e., the descriptions or
expressions of the programs, are not physical "things." They are neither computer
components nor statutory processes, as they are not "acts" being performed. Such
claimed computer programs do not define any structural and functional interrelationships
between the computer program and other claimed elements of a computer which permit
the computer program's functionality to be realized. In contrast, a claimed computer-
readable medium encoded with a computer program is a computer element which defines
structural and functional interrelationships between the computer program and the rest of
the computer which permit the computer program's functionality to be realized, and is
thus statutory. Accordingly, it is important to distinguish claims that define descriptive
material per se from claims that define statutory inventions.

To expedite a complete examination of the instant application the claims rejected

under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in

anticipation of applicant amending these claims to place them within the four statutory

categories of invention.

Double Patenting

7.   The rejections to Claims 47-50, 52, 53, 67-74, 79, 91 and 97 under the judicially

created doctrine of obviousness-type double patenting as being unpatentable over

claims 5, 6, 8, 9, 10, 12, 13, 15, 16, 17, 19, 20, 23, 24, 26 of U.S. Patent No. 6343310 in

view of Guzik et al. (U.S. Patent 6055333; date of patent April 25, 2000; filed December

28, 1995) has been withdrawn as necessitated by the terminal disclaimer filed January

11, 2006.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8.   Claims 47-54, 64-66, 72-75, 88-92, 94-96 and 98 remain rejected under 35

U.S.C. 102(e) as being anticipated by Guzik et al. (U.S. Patent 6055333; date of patent

April 25, 2000; filed December 28, 1995).

Regarding independent claim 47, Guzik discloses a graphical user interface (GUI)

instantiated by computer software for generating a file from data entered into selected

one of N fields in the GUI, wherein:

- at least one of a file format of the file and a subset of the N fields that will be

  data-accepting fields is determined responsive to data entered into a first

  predetermined one of the N fields (col. 2, lines 20-32, 35-38; col. 4, lines 15-17 –

  as demonstrated in the cited text, the data-accepting fields are determined by

  data entered into a field in a GUI); and

- N is an integer equal to or greater than 2 (col. 4, lines 15-17 – as demonstrated in the cited text, more than one field is used so N is an integer equal or greater than 2).

Regarding dependent claim 48, Guzik discloses the GUI as recited in Claim 47, wherein:

- the subset of data-accepting fields of the N fields is further limited responsive to data entered into a second predetermined one of the N fields (col. 4, lines 51-58 – as demonstrated in the cited text, the data-accepting fields are limited to data entered into a second field since data is cross-referenced to associated fields).

Regarding dependent claim 49, Guzik discloses the GUI as recited in Claim 47, wherein:

- at least a portion of the subset of data-accepting fields of the N fields is automatically filled in when the file is opened (col. 4, lines 57-58 – as demonstrated in the cited text, address and phone number fields are automatically filled in).

Regarding dependent claim 50, Guzik discloses the GUI as recited in Claim 47, wherein:

- at least a portion of the subset of data-accepting fields of the N fields is automatically filled in when data is entered into the first predetermined one of the

N fields (col. 4, lines 51-58 – as demonstrated in the cited text, data in fields is
automatically filled in when fields are cross-referenced).

Regarding dependent claim 51, Guzik discloses the GUI as recited in Claim 47,
wherein:

- each of the N fields has an associated label identifying specific information to be
  inserted into the field associated with that label (col. 4, lines 34-40 – as
  demonstrated in the cited text, fields have labels that represent special
  presentation or display parameters that determine what is to be inserted into the
  fields).

Regarding independent claim 52, Guzik discloses a graphical user interface (GUI)
instantiated by computer software for generating a file transmittable to a selected one of
M recipients from data entered into selected one of N fields in the GUI, wherein:

- at least one of a file format of the file and a subset of the N fields that will be
  data-accepting fields is determined responsive to data entered into a first
  predetermined one of the N fields (col. 2, lines 20-32, 35-38; col. 4, lines 15-17 –
  as demonstrated in the cited text, the data-accepting fields are determined by
  data entered into a field in a GUI); and
- M and N are integers equal to or greater than 2 (col. 4, lines 15-17; col. 5, lines
  29-35 – as demonstrated in the cited text, more than one field is used and
  information is transmitted to recipients so M and N are equal or greater than 2).

Regarding dependent claim 53, Guzik discloses the GUI as recited in Claim 52,

wherein:

- the selected one of the M recipients is selected by entering an unique identifier

  corresponding to the selected one of the M recipients into the first predetermined

  one of the N fields (col. 5, lines 29-35 – as demonstrated in the cited text, Guzik

  teaches transmitting to a specific recipient so the recipient must be identified in

  order for a transmission to occur).

Regarding dependent claim 54, Guzik discloses the GUI as recited in Claim 52,

wherein:

- each of the M recipients has associated therewith a unique portion of the

  instantiating software (col. 2, lines 20-28 – as demonstrated in the cited text, the

  software is associated with the recipients).

Regarding dependent claim 64, Guzik discloses the GUI as recited in Claim 52,

wherein:

- the M recipients and a sender of the transmitted file operate independent

  computer systems (col. 1, lines 62-67; col. 5, lines 29-35 – as demonstrated in

  the cited text, the recipient and sender operate different computers).

Regarding dependent claim 65, Guzik discloses the GUI as recited in Claim 52,

wherein:

- the GUI provides a single universal interface between a sender of the transmitted

  file and the M recipients (col. 2, lines 53-60 – as demonstrated in the cited text,

  the GUI provides a single universal interface).

Regarding dependent claim 66, Guzik discloses the GUI as recited in Claim 52,

wherein:

- the instantiating computer software resides on a personal computer operated by

  a sender of the transmitted file (Fig. 1; col. 1, lines 62-67 – as demonstrated in

  the figure and cited text, the software resides on a personal computer).

Regarding dependent claims 72, 73 and 74, the claims reflect the GUI for performing

the operations of claims 49, 50 and 48 respectively and are rejected along the same

rationale.

Regarding dependent claim 75, Guzik discloses the GUI as recited in Claim 52,

wherein:

- the fields are blank labeled fields asking for specific information (col. 4, lines 34-

  40, 51-58 – as demonstrated in the cited text, the fields require for specific

  information).

Regarding independent claim 88, Guzik discloses a graphical user interface (GUI)

instantiated by computer software for generating a file in a selected one of a plurality of

formats from data entered into the GUI, the GUI comprising:

- N data-accepting fields disposed in a predetermined order including an active

  subset of the N data-accepting fields and an inactive subset of the N data-

  accepting fields (col. 4, lines 51-58 – as demonstrated in the cited text, active

  and inactive fields are present);

- at least one of the selected one of the formats and members of the active subset

  is determined responsive to data entered into a first one of the N data-accepting

  fields (col. 2, lines 20-32, 35-38; col. 4, lines 15-17 – as demonstrated in the cited

  text, the data-accepting fields are determined by data entered into a field); and

- N is an integer equal to or greater than 2 (col. 4, lines 15-17 – as demonstrated

  in the cited text, N is an integer equal or greater than 2).

Regarding dependent claim 89, Guzik discloses the GUI as recited in Claim 88,

wherein:

- the members of the active subset of the N data-accepting fields are further

  limited responsive to data entered into a second one of the N data-accepting

  fields included in the active subset (col. 4, lines 51-58 – as demonstrated in the

  cited text, the active data-accepting fields are limited to data entered into a

  second field).

Regarding claims 90, 91, 92, 94, 95, 96 and 98, the claims reflect the GUI for

performing the operations of claims 88, 53, 54, 64, 65, 66 and 89 respectively and are

rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 55, 56, 59 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Guzik in view of Rossmann (U.S. Patent 6625447; date of patent September 23,

2003; filed November 24, 1998; continuation filed December 11, 1995).

Regarding dependent claim 55, Guzik does not disclose the unique portion of the

instantiating software associated with each of the M recipients contains information

specifying which of the N fields presented by the GUI will accept data in files generated

for transmission to that recipient. Rossmann teaches specifying which fields will accept

data for that recipient (col. 26, lines 1-10). It would have been obvious to one of

ordinary skill in the art, having the teachings of Guzik and Rossmann before him at the

time the invention was made, to modify the GUI taught by Guzik to include specifying

which fields will accept data as taught by Rossmann, because specifying the fields that

will accept data for a recipient, as taught by Rossmann (col. 26, lines 1-10), would allow

users to distinguish the fields that needed to be filled in for a particular recipient from

those fields that the recipient does not accept.

Regarding dependent claim 56, Guzik does not disclose the unique portion of the

instantiating software associated with each of the M recipients contains information

specifying the format to be used for files generated for transmission to that recipient.

Rossmann teaches specifying the format for that recipient (col. 26, lines 1-10). It would

have been obvious to one of ordinary skill in the art, having the teachings of Guzik and

Rossmann before him at the time the invention was made, to modify the GUI taught by

Guzik to include specifying the format as taught by Rossmann, because specifying the

format for a recipient, as taught by Rossmann (col. 26, lines 1-10), would allow users to

distinguish the format that a recipient would accept from those that the recipient does

not accept.

Regarding dependent claim 59, Guzik selecting a recipient and a unique portion of the

instantiating software is associated with the recipient (col. 2, lines 20-28; col. 5, lines 29-

35) but does not disclose the data-accepting ones of the N fields presented by the GUI

and the format of the file generated are determined responsive to specifications.

Rossmann teaches specifying the fields that accept data and the format for that

recipient (col. 26, lines 1-10). It would have been obvious to one of ordinary skill in the

art, having the teachings of Guzik and Rossmann before him at the time the invention

was made, to modify selecting a recipient and associating software with that recipient as

taught by Guzik to include specifying the fields that accept data and the format as

taught by Rossmann, because specifying the fields that accept data and the format for a

recipient, as taught by Rossmann (col. 26, lines 1-10), would allow users to distinguish

the data-accepting fields and the format for a recipient from those that the recipient

does not accept.

10.   Claims 57 and 58 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Guzik in view of Cauffman et al. (U.S. Patent 5325290; date of patent June 28,

1994; filed October 25, 1991).

Regarding dependent claims 57 and 58, Guzik does not disclose the GUI recited in

claim 54, wherein the unique portion of the instantiating software associated with each

of the M recipients is accessed and updated as the file requirements of that particular

recipient changes; independent of the other M recipients; and independent of a sender

of the transmitted file. Cauffman teaches updating as file requirements change,

independent of other users or the sender (col. 27, lines 20-25). It would have been

obvious to one of ordinary skill in the art, having the teachings of Guzik and Cauffman

before him at the time the invention was made, to modify the GUI taught by Guzik to

include updating the software as taught by Cauffman, because updating as file

requirements change, independent of the other recipients or sender, as taught by

Cauffman (col. 27, lines 20-25), would allow users to have up-to-date software that is compatible with the recipients.

11.   Claims 60-63, 68-71, 93 and 97 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Guzik in view of Loveria, III (U.S. Pub. No. 20040090466; publication date May 13, 2004; filed July 15, 2003; continuation filed July 20, 1994).

Regarding dependent claim 60, Guzik does not disclose the transmittable file generated can be digitally integrated directly into an information system of the selected one of the M recipients. Loveria teaches a transmitted file being digitally integrated into a system of a recipient (p.1, para. 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Guzik and Loveria before him at the time the invention was made, to modify the transmittable file taught by Guzik to include the file being digitally integrated as taught by Loveria, because digitally integrating the transmittable file into a recipient's system, as taught by Loveria (p.1, para. 6), would allow recipients to have the file in their computer systems for further use.

Regarding dependent claim 61, Guzik does not disclose the transmittable file generated can be integrated digitally into the information system of the selected one of the M recipients without imposing a standard on the transmittable file which forces every one of the M recipients to accept files with the same fields which accept data and the same format as files generated for all the other M recipients. Loveria teaches a

transmitted file being digitally integrated into a system of a recipient without imposing

standards (p.1, para. 6). It would have been obvious to one of ordinary skill in the art,

having the teachings of Guzik and Loveria before him at the time the invention was

made, to modify the transmittable file taught by Guzik to include the file being digitally

integrated without imposing standards as taught by Loveria, because digitally

integrating the transmittable file into a recipient's system without imposing standards, as

taught by Loveria (p.1, para. 6), would allow one recipient to have the file in his/her

computer system for further use without imposing the file on the other recipients

computer systems.

Regarding dependent claim 62, Guzik does not disclose said ability to directly

integrate the transmitted file into the information system of the selected one of the M

recipients is maintained even when the instantiating software is updated. Loveria

teaches the ability to integrate a transmitted file being maintained (p.1, para. 6). It

would have been obvious to one of ordinary skill in the art, having the teachings of

Guzik and Loveria before him at the time the invention was made, to modify the

transmittable file taught by Guzik to include the ability to integrate a transmitted file as

taught by Loveria, because maintaining the ability to digitally integrate the transmittable

file into a recipient's system, as taught by Loveria (p.1, para. 6), would allow users to

transmit files which are integrated into the recipients' computers despite the version of

the instantiating software that was being utilized.

Regarding dependent claim 63, Guzik does not disclose a sender of the transmitted

file can generate a file which can be digitally integrated directly into the information

system of the selected one of the M recipients without said recipient divulging to the

sender specifications of its information system. Loveria teaches digitally integrating files

without the recipient divulging specifications (p.1, para. 6). It would have been obvious

to one of ordinary skill in the art, having the teachings of Guzik and Loveria before him

at the time the invention was made, to modify the transmittable file taught by Guzik to

include digitally integrating without the recipient divulging specifications as taught by

Loveria, because digitally integrating the transmitted filed without the recipient divulging

specifications, as taught by Loveria (p.1, para. 6), would allow users to transmit files to

recipients that could be digitally integrated into the recipients' computer systems without

the recipients having to send specifications to the users.

Regarding dependent claim 68, Guzik does not disclose the instantiating computer

software resides on a server computer accessible to a sender of the transmitted file via

the Internet. Loveria teaches residing on a server accessible via the Internet (p.1, para.

3). It would have been obvious to one of ordinary skill in the art, having the teachings of

Guzik and Loveria before him at the time the invention was made, to modify the

software taught by Guzik to include residing on a server accessible via the Internet as

taught by Loveria, because a server accessible via the Internet, as taught by Loveria

(p.1, para. 3), would allow users to send and receive information from any location that

is Internet accessible.

Regarding dependent claim 69, Guzik does not disclose the file generated is

transmitted from the server to the selected one of the M recipients. Loveria teaches a

file transmitted from the server to the recipient (p.1, para. 3). It would have been

obvious to one of ordinary skill in the art, having the teachings of Guzik and Loveria

before him at the time the invention was made, to modify the generated file taught by

Guzik to include transmitting the file from the server to the recipient as taught by

Loveria, because transmitting the file from the server to the recipient, as taught by

Loveria (p.1, para. 3), would allow files to be sent to specific recipients.

Regarding dependent claim 70, Guzik does not disclose the file generated is archived

on a computer permitting access to the server. Loveria teaches a completed file

archived on a computer (p.5, para. 35). It would have been obvious to one of ordinary

skill in the art, having the teachings of Guzik and Loveria before him at the time the

invention was made, to modify the GUI taught by Guzik to include archiving the file as

taught by Loveria, because archiving the file, as taught by Loveria (p.5, para. 35), would

allow users to store the file for later use.

Regarding dependent claim 71, Guzik does not disclose the file is completed on the

server; the completed file is downloaded to the accessing computer; and the completed

file is transmitted to the chosen one of the M recipients form the accessing computer.

Loveria teaches a file completed on the server, downloading the file and transmitting the

file to a recipient (p.1, para. 3; p.5, para. 35). It would have been obvious to one of

ordinary skill in the art, having the teachings of Guzik and Loveria before him at the time

the invention was made, to modify the GUI taught by Guzik to include completing,

downloading and transmitting the file as taught by Loveria, because completing,

downloading and transmitting the file, as taught by Loveria (p.1, para. 3; p.5, para. 35),

would allow users to utilize the server to access and modify files and then send the files

to other users.

Regarding claims 93 and 97, the claims reflect the GUI for performing the operations

of claims 60 and 68 respectively and are rejected along the same rationale.

12.   Claim 67 remains rejected under 35 U.S.C. 103(a) as being unpatentable over

Guzik in view of Aldrich et al. (U.S. Patent 5138698; date of patent August 11, 1992;

filed February 19, 1991).

Regarding dependent claim 67, Guzik does not disclose the instantiating computer

software is automatically updated whenever the file is transmitted to the one of the M

recipients. Aldrich teaches updating when a file is transmitted (col. 14, lines 52-55). It

would have been obvious to one of ordinary skill in the art, having the teachings of

Guzik and Aldrich before him at the time the invention was made, to modify instantiating

computer software taught by Guzik to include updating the software as taught by

Aldrich, because updating the software whenever a file is transmitted, as taught by

Aldrich (col. 14, lines 52-55), would allow users to have up-to-date software capable of interacting with recipients.

13.   Claims 76-80 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Guzik in view of Goltra (U.S. Patent 5802495; date of patent September 1, 1998; filed March 1, 1996).

Regarding dependent claim 76, Guzik discloses the file generated is a transaction form to be transmitted from a sender to a selected one of the M recipients (col. 4, lines 54-67; col. 5, lines 29-35).

Regarding dependent claim 77, Guzik does not disclose the generated file corresponds to one of a bill and a claim for services from a healthcare provider to a healthcare care payer. Goltra teaches a bill from a healthcare provider to a healthcare payer (col. 1, lines 51-64). It would have been obvious to one of ordinary skill in the art, having the teachings of Guzik and Goltra before him at the time the invention was made, to modify the form taught by Guzik to include a bill as taught by Goltra, because the file corresponding to a bill from a provider to a payer, as taught by Goltra (col. 1, lines 51-64), would allow the invention to be utilized in various fields, including medical areas.

Regarding dependent claim 78, Guzik does not disclose at least one of the data-

accepting fields accept an insurance claim form attachment. Goltra teaches an

insurance claim (col. 1, lines 51-64). It would have been obvious to one of ordinary skill

in the art, having the teachings of Guzik and Goltra before him at the time the invention

was made, to modify the form taught by Guzik to include a insurance claim as taught by

Goltra, because the bill including an insurance claim, as taught by Goltra (col. 1, lines

51-64), would allow the invention to be utilized in various fields, including medical areas.

Regarding dependent claim 79, Guzik discloses the first predetermined one of the N

fields accepts an unique identifier associated with a payer and a second predetermined

one of the N fields accepts a code associated with a unique medical service (col. 4,

lines 51-67).

Regarding dependent claim 80, Guzik discloses once the first and second

predetermined fields have been populated with respective data, the remaining fields

identify additional data the payer requires to support the claim for the specified medical

service (col. 4, lines 51-67).

14.   Claims 81-86 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Guzik in view of Laszlo (U.S. Patent 5331547; date of patent July 19, 1994; filed

January 29, 1993).

Regarding dependent claims 81-86, Guzik does not disclose at least one of the data-accepting fields accepts a computer file, a digital image, a word processor document, a digital graph, a digital sound recording or a digitized video signal. Laszlo teaches a computer file, an image, a document, a graph, a sound recording or a video (col. 2, lines 45-52). It would have been obvious to one of ordinary skill in the art, having the teachings of Guzik and Laszlo before him at the time the invention was made, to modify the data-accepting fields taught by Guzik to accept a computer file, a digital image, a word processor document, a digital graph, a digital sound recording and a digitized video signal as taught by Laszlo, because Laszlo teaches similarities between the above mentioned (col. 2, lines 45-52) so it would have been beneficial to a user for the fields to accept them as input.

15. Claims 87 and 99 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Guzik in view of Rossmann in further view of Loveria.

Regarding dependent claim 87, Guzik discloses files generated during sessions by the users but does not disclose formats or integration of the files into the information systems operated by the recipients. Rossmann teaches specifying the format (col. 26, lines 1-10) and Loveria teaches integrating a file into a system (p.1, para. 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Guzik, Rossmann and Loveria before him at the time the invention was made, to modify selecting generating files as taught by Guzik to include specifying formats as taught by

Rossmann and integrating files as taught by Loveria, because specifying formats, as

taught by Rossmann (col. 26, lines 1-10) and integrating files, as taught by Loveria (p.1,

para. 6), would allow recipients to receive files in the correct format that could be

integrated into their computer systems.

Regarding dependent claim 99, the claim reflects the GUI for performing the

operations of claim 87 and is rejected along the same rationale.

Response to Arguments

16.   Applicant's arguments filed January 11, 2006 have been fully considered but they

are not persuasive. Regarding independent claim 47, Applicants indicate that Guzik

does not disclose the data-accepting status of the fields is not altered in response to the

received input, nor is there any teaching or suggestion that a format of a generated file

is selected in response to the received input (p.15, para. 3). The Examiner disagrees

because Guzik teaches at least one of a file format of the file and a subset of the N

fields that will be data-accepting fields is determined responsive to data entered into a

first predetermined one of the N fields (col. 2, lines 20-32, 35-38; col. 4, lines 15-17)

since Guzik teaches the data-accepting fields are determined by data entered into a

field in a GUI. In other words, Guzik teaches entering data into fields which determines

the fields that are capable of accepting data. Since the amended claim states that *at*

least one of the file format and a subset of the N fields are determined in response to

data entered, Guzik teaches this limitation.

Regarding independent claims 52, 88 and 90, the claims recite limitations similar

to claim 47 and are rejected at least based on the rationale of the rejection above.

Regarding dependent claims 48-51, 53-87, 89 and 91-99, the claims depend

from independent claims 47, 52, 88 and 90. Therefore claims 48-51, 53-87, 89 and 91-

99 are rejected at least based on the rationale of the rejections above.

Conclusion

17.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

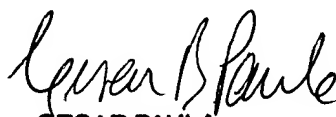extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8:00 am - 5:00 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KBH

CESAR PAULA
PRIMARY EXAMINER